

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEPHEN M REDD,
Plaintiff,

v.

RON BROOMFIELD, et al.,
Defendants.

Case No. [21-cv-08913-JST](#)

**ORDER GRANTING NUNC PRO
TUNC EXTENSION OF TIME TO FILE
AMENDED COMPLAINT; DENYING
REQUEST TO SUPPLEMENT
AMENDED COMPLAINT**

Re: ECF Nos. 38, 40

Plaintiff, an inmate at San Quentin State Prison ("SQSP") has filed a *pro se* action pursuant to 42 U.S.C. § 1983. On April 19, 2022, the Court dismissed the complaint with leave to amend because the complaint suffered from numerous deficiencies, including a failure to link any named defendant to a constitutional violation, a failure to comply with Fed. R. Civ. P. 8(a)'s requirement of a short and plain statement of the legal claims, and because the complaint violated Fed. R. Civ. P. 20. ECF No. 36. Now pending before the Court are Plaintiff's request for an extension of time to file his amended complaint, ECF No. 38, and his request that the Court add to his amended complaint two requests for relief and a California law authority, ECF No. 40.

Good cause being shown, Plaintiff's request for an extension of time to file his amended complaint is GRANTED *nunc pro tunc*. ECF No. 38. His amended complaint, docketed on May 19, 2022 at ECF No. 39, is deemed timely filed.

Plaintiff's request to add to his amended complaint is DENIED. ECF No. 40. Piecemeal amendments of pleadings are disfavored. The Court will not piece together Plaintiff's claims, named defendants, and requests for relief from different pleadings. However, if Plaintiff so wishes, he may file a second amended complaint which contains all the claims he wishes to

1 present, all of the defendants he wishes to sue, all the requests for relief that he seeks, and all the
2 legal authority that he wishes to cite. Plaintiff is reminded that an amended complaint completely
3 replaces the previous complaints. *See Lacey v. Maricopa Cnty.*, 693 F.3d 896, 925 (9th Cir.
4 2012). Accordingly, Plaintiff must include in his second amended complaint all the claims he
5 wishes to present, all of the defendants he wishes to sue, and all the relief he requests, including
6 claims, defendants, and requests for relief presented in prior complaints. Plaintiff may not
7 incorporate material from the prior complaints by reference.

8 If Plaintiff wishes to file a second amended complaint, he shall do so within twenty-eight
9 (28) days of the date of this order. Failure to file a second amended complaint within the time
10 provided will result in the amended complaint docketed at ECF No. 39 remaining the operative
11 complaint. The Court will defer screening the amended complaint until after the deadline for
12 filing a second amended complaint has passed.

13 This order terminates ECF Nos. 38 and 40.

14 **IT IS SO ORDERED.**

15 Dated: June 3, 2022

16 
17 JON S. TIGAR
18 United States District Judge

United States District Court
Northern District of California